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CENTRAL INTELLIGENCE AGENCY

WASHINGTON, D.C. 20505

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Mr. James M. Frey, Assistant Director
for Legislative Affairs
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Frey:

This is submitted in the interest of providing views on Section 146 of the Foreign Relations Authorization Act, Fiscal Year 1976, S. 1517, which adds Section 36 to Title III of the Arms Control and Disarmament Act.

Section 36 as a whole appears to be concerned only with military weapons and military research programs and the word "technology" in Section 36(a)(3) is construed as applying solely to military technology, not to intelligence collection technology. I have been advised that the National Security Council and the Office of Management and Budget agree that intelligence collection programs would not be subject to the requirements of this Section.

With respect to Section 36(b)(2), it is our view that "a complete statement analyzing the impact of such programs on arms control and disarmament policy and negotiations" need not include sensitive, finished foreign intelligence. However, to the extent that these impact statements may be required to include finished intelligence as a result of ambiguities of language, it is absolutely essential that such information be afforded proper protection and it would be necessary that such information be transmitted under conditions to protect against its unauthorized disclosure and against unnecessary proliferation.

Sincerely,

/s/ Bill

W. E. Colby
Director

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